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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/613,113
Filing Date: July 10, 2000
Appellant(s): HUSEMANN ET AL.

Michael J. Musella
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 8/31/05 appealing from the Office action mailed 4/1/05.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is substantially correct. The changes are as follows: Whether claims 1 and 16 are anticipated under 35 USC 102(e) by US patent 6,466,971 to Humpleman et al (see final Office action, par. 1), and whether claims 25 and 26 are unpatentable under 35 USC 103(a) over Humpleman.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,466,971 Humpleman et al 10-15-02

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. Claims 1-2, 4-6, 9-11, 15-22 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,466,971 (Humpleman et al).

As for claim 1, 16: Humpleman et al teach a computer implement method and corresponding system for controlling a first computer device having limited user interface using a remote second computer, whereby the computers communicate via a wireless communication channel (1:61-67; 2:39-63) and support a common communication protocol (5:5-17; 6:10-19), the method/system comprising the steps/means for:

transmitting the limited user interface information from the first computer device 14 to the second computer 12 (5:46-50),

providing an extended user interface on the at least one second computer device 12 corresponding to the limited user interface information (5:50-54), the extended interface having more extensive capabilities than the capabilities of the limited interface of the first device 14, the extended user interface utilizing the transmitted limited user interface information and comprising extended functions so as to extend the capabilities of the limited user interface (10:28-36. I.e., the interface and function browsed and displayed in the GUI page).

receiving user input via the extended user interface at the second computer 12,

transmitting user command information corresponding to the user input from the second computer to the first computer device, and executing the corresponding user commands at the first computer 14 (5:54-56).

- As for claim 2: The interface information is a standardized user interface description (6:11-19).
- As for claims 4, 17: The wireless communication channel is automatically established between the computers without user intervention (5:45-56).
- As for claims 5, 18: The second computer having a display for displaying the user interface (5:22-26).
- As for claims 6, 19: The second computer 14 comprising a keyboard (5:22-24).
- As for claims 9, 20: The second computer 14 browses the GCO structure data for displaying the user interface (5:47-49).
- As for claim 10: Humpleman's teaching of remote control (1:61-65) implicitly includes a wireless communication protocol for transmitting information between the computers.
- As for claim 11: A HTTP is used for transmitting user command information between the computers (12:6-9).
- As for claims 15, 21: Second computer initiates a request for GUI information (5:46-48).
- As for claim 22: The system further includes a third computer 96, which third computer 14 inherently includes a processor, a transceiver, and a memory for storing user interface information (5:39-64;figure 19).

Claim Rejections - 35 USC § 103

2. Claims 3, 7-8, 12-14, 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,466,971 (Humpleman et al).

- As for claim 3: Humpleman fails to clearly teach that the second computer transmits a list of services to the first computer prior to the first computer sending user interface information. However it would have been obvious to one of skill in the art, at the time the invention was made, to implement the transmission a list of services from the second computer to the first computer prior to the first computer sending user interface information to Humpleman's teaching of universal remote control. Motivation of the implementation is for advertising to the first computer the type of services the universal remote controller possesses.
- As for claims 7, 8: Humpleman fails to teach that a WML is used for transmitting the user interface information from the first computer to the second computer. However implementation of WML is well known in the art of user interface for devices having limited user input capability. Thus it would have been obvious to one of skill in the art, at the time the invention was made, to combine the well-known WML to Humpleman's teaching of transmitting user interface information. Motivation of the combining is for the advantage of allowing the rendering device the flexibility to render the user interface in the best manner (see US patent #6,446,096, 5:18-29).
- As for claims 12, 13: Humpleman fails to clearly teach the confirmation signal. However it would have been obvious to one of skill in the art, at the time the

invention was made, to implement the confirmation signal notifying the user the completion of an executed command.

- As for claim 14: Humpleman fails to clearly teach that the first computer initiates communication. However, it would have been obvious to one of skill in the art, at the time the invention was made, to implement the first computer initiates communication by sending the GUI information. Motivation of the implementation is for speeding up the interaction.

- As for claim 23, 24: User interface information of the first computer 14 (device B) can be stored in an Interface library 80 at the third computer 96 and can be downloaded to second computer 12 (device A) responsive to a query from the second computer (18:25-37; figure 19). Each of the devices includes pointer and handler (16:59-62). Thus it appears that first computer 14 (device B) provides a pointer to second computer 12 (device A) indicating a memory location in the third device 96 where interface information of the first computer 14 is stored so that second computer can retrieved the interface information. Even if it is not, it would have been obvious to one of skill in the art, at the time the invention was made, to implement the providing of the pointer from first device 14 to second computer 12 for indication the store location of the user information. Motivation of the implementation is for the ease of processing speed by having the data readily available to the second computer.

- As for claims 25, 26: Humpleman et al teach a computer implement method and corresponding system for controlling a first computer device 14 having limited user interface using a remote second computer 12, whereby computers 14 and 12

communicate via a wireless communication channel (1:61-67) and support a common communication protocol (5?5-17; 6:10-19), the method/system comprising the steps/means for:

transmitting the limited user interface information from the first computer device 14 to the second computer 12 (5:46-50),

providing an extended user interface at the second computer device corresponding to the user interface information (5:50-54), the extended interface having more extensive capabilities than the capabilities of the limited interface of the first device 14, the extended user interface utilizing the transmitted limited user interface information and comprising extended functions so as to extend the capabilities of the limited user interface (10:28-36. I.e., the interface and function browsed and displayed in the GUI page).

receiving user input via the extended user interface at the second computer 12,

transmitting user command information corresponding to the user input from the second computer to the first computer device, and executing the corresponding user commands at the first computer 14 (5:54-56). Humpleman fails to clearly teach the confirmation signal. However it would have been obvious to one of skill in the art, at the time the invention was made, to implement the confirmation signal notifying the user the completion of an executed command.

(10) Response to Argument

The Humpleman et al reference: Humpleman et al teaches a computer implemented method and corresponding system for controlling home devices by a second device (2:39-3:59). The home devices, such as security system, VCRs, dishwasher, microwave ovens, etc... (1:45-

52). The home devices have limited input/output user interface, in consistent with appellants' definition: "A computer device is generally referred to as a computer device with a limited user-interface where, for example, one or more of the following applies: the user interface is inadequate for the task required, the user interface is small and difficult to read, understand, or hear; the user interface presents an inconvenience to the user; there is no graphic capable display (e.g., text-only display); there is a restricted number of input keys, or input keys which are too small; there are too many functions which are mapped to a limited number of buttons and thus imposes complicated control structures that make it difficult to operate the device without prior extensive study of a user's manual, especially for seldom used or advanced functions; the user interface is not powerful enough, making its use to slow, or has slow resolution, or the like" (the spec, page 15, line 28 – page 16, line 11). The home device 14 (i.e., the first device) transmits its user interface information to the second device 12. The home device 14 is called the server device as being the service provider, whereby the second device 12 is called the client device as being the recipient (5:18-21, figure 1). The second device 12 has full user interface (5:22-28). The first device 14 provides service for the user but not control user interface, thus has limited user interface (5:28-30). Control interface is provided by the second device 12 for interacting with the first device 14 (5:30-32, 45-55). For interacting between the first device 14 and the second device 12, first device 14 transmits graphical control object user interface descriptions GCO 22 to the second device 12 (2:52-55, 3:20-29, 5:45-50), the second device 12 uses the transmitted GCO 22 to create a control user interface GUI 18 for the user to communicate with first device 14 and to control a program 20 in the first device 14 (2:57-60, 5:50-55). Thus the user interface descriptions GCO 22 had been extended to become a fully displayed GUI 18 on

the second device 12, allowing program 20 in the first device 14 to be controlled by the second device 12 (equivalently, user interface of the second device 12 also being extended to interact with include first device 14).

The arguments: Claim 1 recites "A method for controlling at least one first device having a limited user interface by using at least one second device", "providing an extended user interface **on** the at least one second device", "accepting user commands input via the extended user interface; transmitting user commands from the second to the first device". The appellants cite a portion of Humpleman (5:28-35, "as defined herein, each server device 14 provides a service for the user, except control user interface, and each client device 12 provides control user interface for user interaction with network 10. As such, only client device interacts directly with users, and server devices 14 interact only with client device and other server device 14") and argue that since Humpleman does not teach the server devices 14 directly interacting with the user therefore server devices do not have a (limited) user interface. Clearly, devices such as VCRs, microwaves, dishwashers, and ovens are device with limited user interface as defined by the appellants. For example, the VCR may have Stop/Play buttons but does not have a tuner therein (Humpleman's 1:45-52, 2:11-16). The appellants' argument appears conclusive and out of context. The portion cited by the appellants directs to Humpleman's teaching of figure 1 wherein a client device 12 (i.e., a user device, emphasis added) communicates with a server device 14 over network 10. Each client device (user device) 12 may communicate with one or more server devices 14 (5:5-22). The appellants appear to separate the user from the client device 12, making the client device 12 as an intermediate device between a user and the server device 14. This interpretation is not in the context of Humpleman's teaching of figure 1. As

seen in figure 1, a human sitting in front of his device 12, interacts with server device 14 ("network 10 includes at least one client device 12 and at least one server device 14 interconnected via communication link 16" (5:5-8), "Each client device 12 may communicate with one or more sever devices 14 in network 10" (5:18-19)). Further, it should be noted that claim 1 recites "accepting user commands input via the extended user interface (at the second device), transmitting user command from the second device to the first device", i.e., the user is not directly provides input to the first device but only through his device since the extended user interface is displayed at his device. This is similar to Humpleman's disclosure wherein the user provides input to the extended GUI 18 displayed at his device 12 to control operations in server device 14. The appellants further argue that Humpleman does not teach a limited user interface of the first device being extended by a user interface of a second device. The argument is not support by the language of the claim. Claim 1 merely recites "providing an extended user interface on the at least one second device" and "the extended user interface utilizing the transmitted limited user interface information and (the extended user interface) comprising extended functions so as to extend the capabilities of the limited user interface". Claim 1 neither recites that the limited user interface is being extended, nor that it is extended by the second device. Claim 1 merely says that providing an extended user interface on the second device using the transmitted limited user interface information, not extending the limited user interface by the second device. The limited user interface information is disclosed by Humpleman as graphical control object (GCO) user interface description 22 (or GCO 22). GCO 22 is transmitted from the server device 14 to the client device 12 ("transmitting the limited user interface information from the at least one first device to the at least one second device", claim1,

lines 5-6). The client device uses the transmitted GCO 22 to create an extended control user interface 18 on the second device ("providing an extended user interface on the at least one second device", claim 1, line 7). The user interacts with the limited user interface server device 14 via the extended user interface 18 (5:45-55). In the example given by Humpleman (2:11-16) the extended GUI 18 has the capabilities of being displayable and interact-able by the user to tune the limited user interface VCR device, which reads on the appellants' functional recitation "the extended user interface having more extensive capabilities than the capabilities of the limited user interface of the at least one first device" and consistent with the appellants' definition of limited user interface devices ("A computer device is generally referred to as a computer device with a limited user-interface where, for example, one or more of the following applies: the user interface is inadequate for the task required, the user interface is small and difficult to read, understand, or hear; the user interface presents an inconvenience to the user; there is no graphic capable display (e.g., text-only display); there is a restricted number of input keys, or input keys which are too small; there are too many functions which are mapped to a limited number of buttons and thus imposes complicated control structures that make it difficult to operate the device without prior extensive study of a user's manual, especially for seldom used or advanced functions; the user interface is not powerful enough, making its use to slow, or has slow resolution, or the like". The spec, page 15, line 28 – page 16, line 11). Thus from server device 14 standpoint, the limited user interface is being extended to have its GCO 22 displayable as GUI 18 on the client device 12 for controlling operations in server device 14. Equivalently, from the client device 12 standpoints, the user interface of the client 12 is being extended with GUI 18 to extend its controls to server device 14.

System claim 16 is a mirror image of claim 1, which recites the system components for performing the steps recited in claim 1, comprising "a first device comprising a limited user interface, a first processor, a first transceiver, a first memory, and a first user interface manager; a second device comprising a second processor, a second transceiver, a second memory, and a second user interface manager...". The appellants argue that Humpleman does not teach the first and the second user interface managers. Humpleman repeatedly discloses that the server device 14 stores application interface description data, transmitting the application interface description data to the first device, receiving command data from the first device to control the operation of the server device 14. It should be apparently clear to one of skill in the art that the user interface manager is implicitly included in Humpleman teaching of storing, transmitting of user interface descriptions GCO 22, and receiving interface command for controlling the operation in server device 14. Similarly Humpleman discloses that the client 12 receives user interface description GCO 22 from the sever device 14, creates and displays the GUI 18 from the received GCO 22, accepts user input to the GUI 18 for controlling operations in server 14. It should also apparently clear to one of skill in the art that the user interface manager is implicitly included in Humpleman teaching of creating, displaying the GUI 18 from the received user interface descriptions GCO 22, and interacting with the GUI 18 to control the operations in server device 14. See Humplemans' abstract, col. 5, line 45 – col. 6, line 20, and the descriptions of figures 19-20 which disclose various aspects of user interface managements. The appellants further repeat the arguments that Humpleman does not teach the limited user interface, the extended user interface, the extended user interface having more extensive capabilities than the capabilities of

the limited user interface. These argument have been addressed as set forth above in the response to argument of claim 1.

Claims 25 and 26 are rejected under 35 USC 103(a) as being obvious over Humpleman. The appellants similarly repeat the arguments that Humpleman does not teach the limited user interface, the extended user interface, the extended user interface having more extensive capabilities than the capabilities of the limited user interface. These arguments have been addressed as set forth above in the response to argument of claim 1.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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